

UNITED STATES DISTRICT COURT  
WESTERN DISTRICT OF NEW YORK

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UNITED STATES OF AMERICA,

v.

20-CR-79-V

DEYANNA DAVIS,

Defendant.

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**NOTICE OF MOTION AND MOTION FOR REVIEW OF  
MAGISTRATE JUDGE'S DETERMINATION ON DETENTION**

THE UNITED STATES OF AMERICA, by and through its attorney, James P. Kennedy, Jr., United States Attorney for the Western District of New York, and Seth T. Molisani, Assistant United States Attorney, of counsel, hereby files a motion with the United States District Court in the Western District of New York for an Order revoking the Decision and Order entered by Magistrate Judge Jeremiah J. McCarthy on June 26, 2020, under 20-CR-79-V (Dkt. 29), pursuant to 18 U.S.C. § 3145(a)(1); and the Government further moves for an Order staying said Order of the Magistrate Judge until such time as the Court can hear and determine the Government's motion for review of the Magistrate Court's determination on detention.

IN SUPPORT THEREOF, the Government sets forth a memorandum, incorporated herein by reference.

**WHEREFORE**, it is respectfully requested that the Court:

- 1) Stay the Order of the Magistrate Court releasing the defendant on conditions until such time as the District Court can hear and determine this motion;
- 2) Allow the Government to supplement this motion due to the ongoing nature of this investigation and receipt of transcripts; and
- 3) Revoke Magistrate Judge Jeremiah J. McCarthy's June 26, 2020, Decision and Order (Dkt. 29) releasing the defendant from custody upon conditions.

DATED: Buffalo, New York, June 30, 2020.

JAMES P. KENNEDY, JR.  
United States Attorney

BY: *s/SETH T. MOLISANI*  
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